THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 12553 of 2007

Date:19-06-2007

Between:

D.Krishna **.. PETITIONER**

AND

The S.H.O.P.S.,Banjara Hills, Hyderabad and two others

..

RESPONDENTS

ORDER:

The petitioner seeks to issue a writ of mandamus to direct the respondents 1 and 2 to consider the complaint of the petitioner dated 04.05.2007 and extend police protection to his life and property.

It is the case of the petitioner that initially one Gulam Mohammed Yousufuddin was the owner and possessor of land in an extent of Ac.3.00 guntas in Sy.No.129/12, Shaikpet village, Urban Taluk of Hyderabad corresponding to New Sy.No.403/3 of Road No.2 of Banajara Hills, Hyderabad and the said Gulam Mohammed Yousufuddin sold an extent of Ac.1.37 guntas in favour of one Anjaiah Goud vide unregistered sale deed and the said Anjaiah Goud in turn sold the said property in favour of the petitioner, dated 27.10.1988. It is stated that on 04.05.2007 on receiving a message about the alleged illegal interference of the third respondent and his henchmen in respect of the said property, he rushed to the said land. With regard to the said incident, the petitioner has stated that he made a representation, dated 07.05.2007 before the first respondent to call for the third respondent and bound him over from causing any danger to his life and property. It is stated that pursuant to the said representation, no action has been taken.

I am not inclined to express any opinion with regard to the right, title, interest and possession of the said property. Admittedly, no immovable property can be transferred by unregistered sale deed. I am also not inclined to express any opinion with regard to title over the said property either by the third respondent or any other person. However, there is a representation, dated 07.05.2007(04.05.2007) said to have been made by the petitioner apprehending danger to his life and property. Iinsofar as the property is concerned, it is for the petitioner to establish the right, title or ownership over the property before the civil Court including the police protection. Insofar as the danger to the life of the petitioner is concerned, it is for the first respondent to consider the representation of the petitioner and take appropriate action.

Accordingly, the writ petition is disposed of directing the first respondent to consider and take appropriate action based on the representation, dated 07.05.2007(04.05.2007). No costs.

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V.ESWARAIAH, J.

Date:19.06.2007.
ccm